## GENERAL REPLICATION.

the Plaintiff joines issue upon the enswer of Eli G. Haugh, guardian ad litem to Charles Edward Johnson, infant defendant in the above entitled cause, so far as the same may be taken to deny or avoid the allegations of the bill of complaint.

Filed October 30, 1911.

Emory L. Coblents
Solieitor for Plaintiff.

## PETITION AND COURT'S ORDER TO TAKE TESTIMONY

To the Honorable, the Judges of the Circuit Court for Frederick County, sitting as a Court of Equity;

The answer of Charles Edward Johnson, the infant defendant in the above and intitled cause, by Eli G. Haugh, guardian ad litem, having been filed and the cause being at issue, the Plaintiff prays your Honors to pass an order referring said cause to one of the standing examiners of this Court for the purpose of taking testimony to support the allegations of the bill of complaint.

And as in duty etc.,

Solieitor for Plaintiff.

The aforegoing petition having been read and considered, it is thereupon this 30th day of October, in the year Mineteen Hundred and eleven, by the Circuit Court for Prederick County, sitting as a Court of Equity, and by the Authority thereof, ordered that the aforegoing cause be and the same is hereby referred to any one of the standing examiners of this Court for the purpose of taking testimony to support the allegations of the bill of complaint.

Hammond Urner

Piled October 30th, 1911.

## TESTIMONY

To the Honorable, the Judges of said Court----

In pursuant of an order of the Court and notice given me by the solicitor for the Plaintiff, I, Albert S. Brown, one of the standing Examiners of your Honerable Court duly commissioned, qualified and sworn, did, at the office of the examiner in the City of Prederok and State of Maryland, on the 6th, day of Movember A.D. 1911, at the hour of two o'clock P.M. Proceeded to take the following depositions of the witnesses in thid cause then and there proceeded before me as follows to wit-
Present--Mr Emory L. Coblents Soliciter for Plaintiffs Exhibit A to the bill and the acknowledgement of purchase also filed with the bill were filed with the examiner as evidence and are so marked.

CHARLES M. SHAMK, a witness of lawful age, produced on the part of the plaintiffs, beig

duly sworn and examined viva vose, deposes and says as follows:

My name is Charles M. Shank, I, am 47 years eld and reside in Middletown, Frederick
County, margland, I know the parties to this cause and the land mentioned in these
proceedings, which is correctly described in the deed marked Exhibit A filed with th
the bill of Complaint in this cause. It is a small tract of about a quarter of an
acres of land, improved with a little, one-story dwelling house, and is worth about
\$200.00 all told. It is the same land that was ewned by Edward Ellicott, who died
before I could recollect. I understand that Edward Ellicott's daughter Laura, married
Henry T. Johnson, and they had one son, whose name was Charles E.T. Johnson, who was
married and lived in Philadelphia. Charles E.T. Johnson died about 1902 and left surviving him a child who is now about ten years old and is a defendant in this case.

I understand that henry T.Johnson, Charles Edward Johnson's grandfather, is willing to pay Fifty Dollars for Charles Edward Johnson, his grandson's interest in that quarter of an acre of land and improvements thereon. Under all the circumstances, I regard that as an adequate price for that interest in that property subject as it is to henry Johnson's life estate as the surviving husband of the grandmother of this bey, Charles Edward Johnson, and that it would be to the best interest and advant